

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

JILL MERRIAM, individually and on  
behalf of all others similarly situated,  
Plaintiff,

v.

Civil Case No. 3:17-cv-00107-JAG

DOMINION CAPITAL MORTGAGE, INC.,  
Defendant.

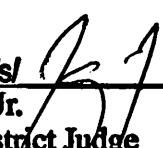
**ORDER**

This matter comes before the Court on its own initiative. On February 3, 2017, the plaintiff filed a placeholder motion for class certification to prevent the defendant from attempting to “buy off” the named plaintiff in order to moot the claims. (Dk. No. 6.) On April 25, 2017, the Court entered its initial pretrial order, setting deadlines for discovery and motions. Accordingly, the Court DENIES the placeholder motion with leave to refile a motion for class certification at any time, up to and including the deadline. The Court reminds the defendant that, if it intends to use the legal maneuver outlined in the plaintiff’s placeholder motion, Federal Rule of Civil Procedure 67 requires notice to the other parties and leave of court before proceeding.

It is so ORDERED.

Let the Clerk send a copy of this Order to all counsel of record.

Date: April 25, 2017  
Richmond, VA

  
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John A. Gibney, Jr.  
United States District Judge